## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

BRANDON CALLIER,	<b>§</b>
Plaintiff,	§
	§
<b>v.</b>	Š
	Š
NATIONAL UNITED GROUP, LLC, a	\$ \$ \$ \$ \$
Texas Limited Liability Company,	§
CENTEN CORPORATION, d/b/a AM	<b>§</b>
BETTER, a Delaware Corporation,	<b>§</b>
MULBERRY MANAGEMENT	§ § S
CORPORATION, d/b/a. OSCAR	§
MANAGEMET CORPORATION, a	<b>§ CIVIL ACTION NO. 3:21-cv-00071-DB</b>
Delaware Corporation, CR INSURANCE	
GROUP, LLC, a Florida Limited Liability	§ §
Company, HEALTH ONE CORP, a	§
Florida Corporation, SUSAN	§
CARRASCO, ALEXA ASSURANCE	
CORP, a Florida Corporation, ABIGAIL	§ §
VELEZ, RICARDO MOREIRA, MARIA	§
ALLEN CARDONA, ALLEN	§
INSURANCE SERVICES, INC, a Florida	§
Corporation, CARLOS RODRIQUEZ,	§
LPV SERVICES, INC., LIZA POLANCO	<b>§</b>
and JOHN DOES 1-4,	Š
	<u>\$</u>
Defendants and Counter-Plaintiff	\$ \$ \$ \$ \$
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## UNOPPOSED MOTION OF DEFENDANTS HEALTH ONE CORPORATION AND SUSAN CARRASCO TO EXTEND DEADLINE TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S FIRST AMENDED COMPLAINT

COME NOW Health One Corporation ("Health One") and Susan Carrasco ("Carrasco") and, pursuant to FED. R. CIV. P. 6(b), file this Unopposed Motion to Extend Deadline to Answer or Otherwise Respond to Plaintiff's First Amended Complaint and would respectfully show the Court the following:

- 1. Plaintiff filed his First Amended Complaint ("Complaint") and added Health One, Carrasco, and several other parties as defendants. A copy of the Complaint and Summons to both Health One and Carrasco were left at Health One's offices but neither Health One nor Carrasco were served in accordance with the FED. R. CIV. P. 4(e and h).
- 2. On July 29, 2021, Counsel for Health One and Carrasco conferred with Plaintiff and an agreement was made whereby: 1) Counsel agreed to accept service of the Summons and Complaint via email or certified mail on behalf of Health One and Carrasco; and 2) in consideration for Counsel accepting service, Plaintiff agreed to extend the deadline for Health One and Carrasco to answer or otherwise respond to the Complaint to sixty (60) days after such service. In the absence of this agreement, Plaintiff would have to incur additional expense and potential delay in obtaining service of process in compliance with FED. R. CIV. P. 4(e and h).
- 3. Pursuant to the parties' agreement, Plaintiff emailed the Summons and Compliant to Counsel on July 29, 2021. Pursuant to FED. R. CIV. P. 12(a), Health One and Carrasco's deadline to respond to the Complaint would be August 19, 2021.
- 4. Counsel and his clients are investigating the facts and circumstances that form the basis of the Plaintiff's claims and the potential defenses available to Health One and Carrasco.
- 5. The parties have reached an agreement to extend the deadline for Health One and Carrasco to file their responsive pleading to sixty (60) days after service of the Complaint, or September 27, 2021.
  - 6. Plaintiff is unopposed to this request.
  - 7. This motion is not sought for the purposes of delay, but so that justice may be done.

WHEREFORE, Defendants Health One and Carrasco respectfully request that this Court grant their motion and extend the deadline for them to answer or otherwise respond to Plaintiff's First Amended Complaint to September 27, 2021.

Dated: July 29, 2021

Respectfully submitted,

ROGER G. JAIN & ASSOCIATES, P.C.

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ATTORNEY FOR DEFENDANT

## **CERTIFICATE OF CONFERENCE**

I certify that I conferred with Brandon Callier, *Pro Se* Plaintiff, via telephone on July 29, 2021 and he is unopposed to the relief requested in this Motion.

Coleman Tucker

## **CERTIFICATE OF SERVICE**

I certify that the foregoing document was electronically submitted to the clerk of the court for the U.S. District Court, Western District of Texas, using the electronic case filing system of the Court. I certify that I have served all *pro se* parties and all counsel of record electronically or by other manner authorized by Rule 5 of the Federal Rules of Civil Procedure on July 29, 2021.

Coleman Tucker

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